

in indefinitely postponing LB 377.

SPEAKER NICHOL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, what Senator Pirsch, Senator Beutler, and others of their ilk should do is take out of the statute the sham of pretending that people have this option. What Senator Beutler ought to be attempting to do is amend out of the statute that the person has the right to this option but they are not going to do that because they are not dealing from the top of the deck. Now Senator Pirsch likes to talk about what already is in the law. Let me read you what is already in the law which was ignored by the State Supreme Court. If you look at the green copy on page two, "If the officer shall refuse to permit such additional test to be taken," talking about the one involving the physician, "then the original test shall not be competent as evidence. Upon the request of the person tested, the results of the tests taken at the direction of the law enforcement officer shall be made available to him or her." Now what does a refusal by an officer to allow the test to mean? I guess the court got out from under that by saying if you don't inform the person of the right, then you can't refuse them the right to take the test because they don't even know about it, so Senator Beutler, Senator Pirsch, and the rest over there in the Legislature are going to continue this hoax on the public while hypocritically standing here talking about the majesty of the law. The law already says that if the officer refuses to allow the second test to be taken, then the first test that the officer took is not competent evidence. The court ignored it in the case that I mentioned to you that was decided in January. So if you don't like what I am doing, if you don't want the law to tell the truth, if you don't want the law to say what it means and mean what it says, if you don't want that, then keep the hoax there. But if you do want the law to say what it means and to mean what it says, but Senator Beutler and Senator Pirsch don't want the citizens to have this information given to them even though the statute says it should be, strike from the law that option. What you can do, Senator Beutler and Senator Pirsch, because in your haste you ran